



SA2004RF0026

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AUG - 4 2004

Office of the Attorney General
ATTN: Initiative Coordinator
1300 I Street
Sacramento, CA 95814

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Re: Request for Preparation of Ballot Title and Summary

Dear Initiative Coordinator,

Pursuant to Article II, Section 10(d) of the California Constitution, the proponents of the "Save Our License Initiative" hereby request preparation of a title and summary. Enclosed please find: 1) the language of the proposed initiative measure; 2) the executed certifications required by Elections Code section 9608; and 3) a \$200 check for the filing fee.

Should you have any questions or require further information, please contact Stephen R. McCutcheon, Jr., Sweeney, Davidian & Greene, LLP, 8001 Folsom Blvd., Suite 101, Sacramento, Ca, 95826, (916) 388-1570.

Sincerely,

Sen. Richard Mountjoy (ret.)

Jeff Evans

Mike Spence

Victor Valenzuela

SA2004RF0026

SAVE OUR LICENSE INITIATIVE

CERTIFICATION PURSUANT TO ELECTIONS CODE § 9608

I, _____ acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.

Sen. Richard Mountjoy (~~ret~~ired)

Dated this 4 day of August, 2004

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Dated this 4th day of August, 2004

Jeffrey C. Evans

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Mike Spende

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Dated this 4TH day of August, 2004

Victor M. Valenzuela, Jr.

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ATTORNEY GENERAL'S OFFICE

SAVE OUR LICENSE INITIATIVE

Text of the Proposed Measure

Section 1 - Addition of Article I, Section 26, to the California Constitution

Article I, Section 26, is hereby added to the California Constitution as follows:

SEC. 26. (a) The State shall not authorize or provide to any alien not lawfully in the United States, a driver's license or government identification card, exemption from nonresident tuition or fees for postsecondary education, grant, contract, loan, professional license, or commercial license; or any retirement, welfare, health, disability, public or assisted housing, postsecondary education, food assistance, unemployment benefit, or any other similar benefit to an individual, household, or family eligibility unit, unless those benefits or services are required to be provided pursuant to federal law.

(b) For the purposes of this section, "State" shall include, but not necessarily be limited to, the State itself, any city, county, city and county, township, public university system, community college district, school district, special district, or any other political subdivision or governmental instrumentality of or within the State.

(c) If any part or parts of this section are challenged in state or federal court, the State shall defend the legality of this section until all appeals have been exhausted and a final judgment is enacted.

(d) This section shall be self-executing. If any part or parts of this section are found to be in conflict with federal law or the United States Constitution, the section shall be implemented to the maximum extent that federal law and the United States Constitution permit. Any provision held invalid shall be severable from the remaining portions of this section.

(e) Any citizen residing in the state of California may sue for injunctive, declaratory, or any other appropriate relief to enjoin violations or to compel compliance with the provisions of this section. In any legal action to enforce subdivision (a), the burden shall be on the State to demonstrate that the benefits or services are required to be provided pursuant to federal law. The court shall award to a prevailing plaintiff or defendant, other than the State, the costs of litigation, including reasonable attorney's fees.

(f) Any elected official or government official who willfully violates the provisions of this title may be held personally liable for the costs of litigation including reasonable attorney's fees and actual damages.